

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F033474 Williams v. Mervyn's Dept. Stores, Inc.

Pursuant to written stipulation of the parties hereto, IT IS
HEREBY ORDERED that the appeal in the above-entitled action is
dismissed.

Each party to bear his or her own costs. The remittitur shall issue
forthwith.

F029160 People v. Jones, Jr.

The judgment is affirmed. Stone (W.A.), J.

We concur: Dibiaso, Acting P. J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031828 People v. Garcia

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033752 Burkett v. Lankford

Appellant having failed to perform the acts necessary to procure the
record after the clerk of the trial court issued notice pursuant to the
provisions of rule 10(c), California Rules of Court, IT IS HEREBY
ORDERED that the appeal in the above-entitled action is dismissed.

F030367 People v. Brown

Counsel having failed to request oral argument in the above-entitled
case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.

F030580 In re Marriage of Sweeney

Oral argument having been waived in the above-entitled case in
accordance with the provisions of a notice mailed to counsel, the
calendar date heretofore set is vacated and the case is submitted for
decision.

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F029490 Montoya v. Porterville Sheltered Workshop, et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F030140 People v. Knight

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F030470 People v. Gates, Jr.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F030262 People v. Simon

The judgment is affirmed. Wiseman, J.

We concur: Ardaiz, P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027318 In re Marriage of Smith

The judgment is affirmed. Wiseman, J.

We concur: Dibiaso, Acting P. J.; Stone (W.A.), J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028390 In re Marriage of Kevin D. McLee and Marie Bergeron

The judgment is affirmed. The cause is remanded to the trial court with directions to determine what award, if any, respondent Kevin McLee is entitled to receive for attorney fees incurred in connection with this appeal. Thaxter, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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Fifth Appellate District

F028574 People v. Maxwell

The judgment of conviction and the order for payment of the probation costs is affirmed. The sentence is modified to award defendant two days of presentence custody credit. In all other respects, the sentence is affirmed. Wiseman, J.

We concur: Dibiaso, Acting P. J.; Stone (W.A.) J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029054 People v. King

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F029209 People v. Villa

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F030748 People v. Hernandez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028686 In re Marriage of Smith

The matter is remanded for a determination of what, if any, spousal support is owed to Kirsten for the period September 1, 1996-present. Costs are awarded to Kirsten. Wiseman, J.

We concur: Dibiaso, Acting P.J.; Stone (W.A.), J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033377 In re the Marriage of Saenz

Maria Saenz v. Sal Saenz

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.